



Coal Mining Subsidence Act 1991

1991 CHAPTER 45

PART IV

PREVENTIVE AND OTHER MEASURES

35 Notices for purposes of section 34

- (1) The Secretary of State may from time to time by order provide that notices under section 2 of the Coal Industry Act 1975 (“the 1975 Act”) published, or deemed to have been published, before such date as may be specified in the order shall, subject to subsection (2) below, cease to have effect for the purposes of section 34 above on such later date (“the expiry date”) as may be so specified.
- (2) Any notice under that section shall continue to have effect for the purposes of section 34 above if and to the extent that it relates to any land which, before the expiry date, is specified in a notice under this subsection published by the Corporation.
- (3) A notice under subsection (2) above—
 - (a) shall specify the land to which it relates by reference to a map or in such other manner as appears to the Corporation to be appropriate in the circumstances of the case; and
 - (b) shall state the Corporation’s continuing intention to exercise in relation to that land the right conferred on them by section 2 of the 1975 Act; and
 - (c) shall be published in such manner and form as the Secretary of State may direct.
- (4) Not later than the date of publication of a notice under subsection (2) above, the Corporation shall serve a copy of the notice, and of any related map—
 - (a) on every local planning authority in England and Wales in whose area lies any part of the land to which the notice relates; and
 - (b) on every planning authority in Scotland in whose district lies any part of that land;

and in paragraph (a) above “local planning authority” has the same meaning as in the Town and Country Planning Act 1990.

Status: This is the original version (as it was originally enacted).

- (5) Each such authority shall—
- (a) secure that copies of any document received by them under subsection (4) above are made available, at all reasonable times, for inspection by the public free of charge; and
 - (b) provide facilities for obtaining copies of any such document on payment of a reasonable fee.